

Before the  
FEDERAL COMMUNICATIONS COMMISSION  
Washington, DC 20554

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FEDERAL COMMUNICATIONS COMMISSION  
OFFICE OF THE SECRETARY

In the Matter of )

Truth-in-Billing and Billing Format )

CC Docket No. 98-170

**COMMENTS OF U S WEST COMMUNICATIONS, INC.**

U S WEST Communications, Inc. responds to the Federal Communications Commission's ("FCC" or "Commission") Further Notice aspect of its Truth-in-Billing Order,<sup>1</sup> inquiring into the appropriate nomenclature for certain charges assessed by carriers to their customers, where the genesis of the charge involved federal regulatory activity. The Commission has determined that the current nomenclature used by carriers is confusing to customers;<sup>2</sup> and it seeks comment on certain terms it tentatively concludes will reduce, if not eliminate such confusion.<sup>3</sup>

As will other carriers, U S WEST will probably ask the Commission to reconsider this portion of its Truth-in-Billing Order and its constituent rules, in conjunction with the reconsideration process. We agree with Commissioners Powell and Furchtgott-Roth that the Commission has crossed the line between appropriate regulation and interference

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<sup>1</sup> In the Matter of Truth-in-Billing and Billing Format, CC Docket No. 98-170, First Report and Order and Further Notice of Proposed Rulemaking, FCC 99-72, rel. May 11, 1999 ("Truth-in-Billing Order" or "NPRM," as the context dictates).

<sup>2</sup> Id. at ¶¶ 49, 53.

<sup>3</sup> Id. at ¶ 71.

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with the carrier/customer relationship.<sup>4</sup> And, in some cases (probably a large number of cases, actually), it crosses that line in a manner that will involve the incurrence of some costs with only incremental, if any, consumer benefit.

Beyond the constitutional “legalities” of the Commission’s decision and proposals lie the questions of sound telecommunications policy and the appropriate role of regulatory authority *vis-à-vis* the carrier-customer relationship. It cannot honestly be said that the term “Federal Universal Service” charge (the Commission’s proposed language)<sup>5</sup> is more or less accurate than the current language U S WEST has incorporated in our bills with respect to our Personalized Communications (“PCS”) service. That language is “Federal Universal Service **Fund**.”<sup>6</sup>

In a similar vein, the Commission’s proposed language regarding number portability charges is “Number Portability,” while U S WEST’s language is “Federal Charge -- Service Provider Number Portability.”<sup>7</sup> Again, the Commission’s “choice” of language is no more truthful or accurate or empirically less confusing than that chosen by U S WEST or other carriers. For these reasons, U S WEST urges the Commission to include U S WEST’s language in a lexicon of “approved terms” for the assessment of universal service and number portability charges.

If the Commission does not do so, U S WEST will be faced with one of two

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<sup>4</sup> See Separate Statement of Commissioner Michael K. Powell (concurring) and Dissenting Statement of Commissioner Harold Furchtgott-Roth, released with the NPRM.

<sup>5</sup> NPRM at ¶ 71.

<sup>6</sup> Emphasis added. And compare Truth-in-Billing Order at ¶ 51, referencing the phrase “Federal Universal Service Fee.”

<sup>7</sup> Id. at ¶ 52, referencing phrases identical to that used by U S WEST, as well as “number portability surcharge,” “local number portability service charge.”

choices: It might decide to proceed with billing system/name changes, incurring costs that are absolutely devoid of market necessity to change what was accurate and truthful language in the first instance. Or, it might seek a waiver from the Commission to continue to use the terms on the grounds that the differences are essentially immaterial.

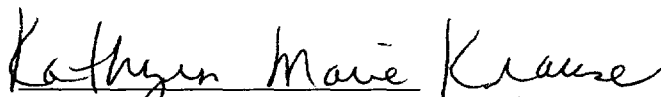
Should the Commission remain wedded to its proposals, it should be prepared to expeditiously address (i.e., as "expeditiously" as it requires reply comments in this proceeding) Petitions for Waiver and/or Forbearance. There is no good reason why a carrier -- especially as we approach the year 2000 -- should be required to muck around in its billing systems to change lines of text to accommodate a federal nomenclature not materially different or more disclosing than its own.

U S WEST urges the Commission to create a large lexicon of "approved terms," for these federally-related charges, such that carriers will have to incur no costs to change otherwise clear language on their bills. In the alternative, we hope the Commission will change its position on reconsideration or will adopt a liberal waiver policy with respect to phrases/terms that differ in immaterial ways from the phraseology adopted by the Commission.

Respectfully submitted,

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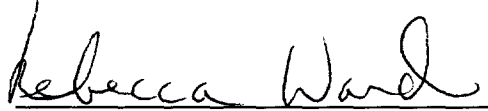
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Dan L. Poole

July 9, 1999

Its Attorney

**CERTIFICATE OF SERVICE**

I, Rebecca Ward, do hereby certify that I have caused the foregoing  
**COMMENTS OF U S WEST COMMUNICATIONS, INC.** to be served via hand  
delivery upon the persons listed on the attached service list.

  
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